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HOUSE BILL 746

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Keith J. Gardner

AN ACT

RELATING TO BURIAL; INCREASING EXPENSES PAID FOR BURIAL OR
CREMATION AND PROVIDING FOR PAYMENT FOR SECURING A GRAVE SITE;
AMENDING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 24-13-3 NMSA 1978 (being Laws 1939,
Chapter 224, Section 3, as amended) is amended to read:

"24-13-3. EXPENSES FOR BURIAL OR CREMATION.--If the
unclaimed decedent had known assets or property of sufficient
value to defray the expenses of cremation or burial, invoices
for the expenses shall be forwarded to such person or official
authorized by law to be appointed administrator of the estate
of the decedent, and such person or official shall pay the
expenses out of the decedent's estate. To the extent that the
deceased person is indigent, the burial or cremation expenses

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 shall be borne by the county of residence of the deceased
2 person. If the county of residence of the deceased person is
3 not known, the burial or cremation expenses shall be borne by
4 the county in which the body was found. The burial or
5 cremation expenses may be paid by the county out of the general
6 fund or the county indigent hospital claims fund in an amount
7 up to [~~six hundred dollars (\$600)~~] one thousand two hundred
8 dollars (\$1,200) for the burial or cremation of any adult or
9 minor."

10 Section 2. Section 24-13-4 NMSA 1978 (being Laws 1939,
11 Chapter 224, Section 4, as amended) is amended to read:

12 "24-13-4. BURIAL AFTER INVESTIGATION--COST OF OPENING AND
13 CLOSING GRAVE.--The board of county commissioners after proper
14 investigation shall cause any deceased indigent or unclaimed
15 decedent to be decently interred or cremated. The cost to be
16 paid by the county [of] to secure a grave site or for opening
17 and closing a grave shall not exceed six hundred dollars
18 (\$600), which sum shall be in addition to the sums enumerated
19 in Section 24-13-3 NMSA 1978."

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